

Court No. 17

WPA 19253 of 2019

23.12.2021

(AD 50)

(S. Banerjee)

Mitali Chakraborti nee Bhattachariya

Vs.

State of West Bengal & Ors.

(Via Video Conference)

Mr. Partha Sarathi Bhattacharya, Sr. Advocate

Mr. Kartick Kumar Roy

Mr. Raju Bhattacharya

Mr. Arunava Maiti

Mr. Tanweer J. Mondal

... for the petitioner

Mr. Subroto Ghosh

Mr. K. N. Nabi

... for the State

Dr. Sutanu Kumar Patra

Ms. Supriya Dubey

... for the SSC

The petitioner has submitted that firstly, he has not been paid salary from 11.09.2017 to 30.04.2018. Her further prayer is that for no fault of her own she will be serving only 9 years 3 months 20 days and she should be given the notional benefit.

Regarding the second prayer made before me, I will not be able to grant any such relief as it appears from a judgement and order passed by a Division Bench, which is at page 76, specially in paragraph 22 therein, where the Division Bench held that the petitioner has not been able to discharge duty for last 18 years consequent whereof she had also been deprived of financial benefits that could have accrued in her favour, but despite holding so, the Division Bench

did not grant any such moneytary relief to the petitioner.

However, regarding the first prayer as to non-payment of salary for the period from 11.09.2017 to 30.04.2018, I direct the District Inspector of Schools to take immediate steps and to look into the matter so that the petitioner can be paid her full salary for the above mentioned period.

The District Inspector of Schools will look into the matter and if it is found that the petitioner is entitled to get the payment for the above period, it will be paid to by 60 days from the date of communication of this order.

With the above observation this writ application is disposed of.

(Abhijit Gangopadhyay, J.)